State of Louisiana

Department of Environmental Quality

M. J. "MIKE" FOSTER, JR.
GOVERNOR

L. HALL BOHLINGER
SECRETARY

CERTIFIED MAIL# 7002 2030 0002 8913 6959
RETURN RECEIPT REQUESTED

File No.: LA0049492
AI No.: 4634

Ms. Cynthia Gardner-LeBlanc, Senior Environmental Coordinator
LOOP LLC
Post Office Box 7250
Metairie, Louisiana 70010-7250

RE: Minor modification of Louisiana Pollutant Discharge Elimination System (LPDES)/National Pollutant Discharge Elimination System (NPDES) permit LA0049492 issued to LOOP LLC

Dear Ms. Gardner-LeBlanc:

During a conversation with Sonja Loyd on March 14, 2003, you requested that LPDES/NPDES permit LA0049492 be modified to reflect information that had been inadvertently not included. After reviewing the LPDES/NPDES permit, the LDEQ and EPA has decided to grant the following modifications:

1. A footnote was added to Part I of the Effluent Limitations and Monitoring Requirements for Outfall 015 which states, "Chlorine shall only be monitored during periods of chlorination or other biocide usage." In addition, the last section of Footnote 2 was changed to read "See Part II, Paragraph L, Section D.4.d." instead of "See Part II, Paragraph D.4.d."

2. The storet code heading and statistical basis (monthly average minimum:48-Hour minimum) for the 48-Hour Acute Marine Biomonitoring requirements at Outfall 015 was added to Part I of the Effluent Limitations and Monitoring Requirements.

3. An effluent monitoring requirement of "Report" was added under each statistical basis for the toxicity tests listed under the 48-Hour Acute Marine Biomonitoring requirements in Part I of the Effluent Limitations and Monitoring Requirements for Outfall 015.

4. The word "Draft" was removed from the heading on Page 8 of 9 in Part I of the Effluent Limitations and Monitoring Requirements for Outfalls 002, 006, 007, 008, and 023.

5. Under Part II, Paragraph L, the standard language for biomonitoring has been updated to reflect the current language being used for 48-Hour Acute Marine biomonitoring activities. In addition, changes have been made to the Tables 1 and 2 Summary Sheets to reflect the following dilution series: 1.22%, 1.63%, 2.17%, 2.89%, and 3.85%. Two pages of Part II, Paragraph M have been modified due to formatting changes that resulted from the inclusion of the updated biomonitoring language.

6. The DEQ address for submittal of all DMRs and biomonitoring reports has been updated to reflect the new address for the Permit Compliance Unit.

7. Under Part II, Paragraph N, Section 3, the agency required to be notified prior to the addition of inhibitors or prior to discharge of pipeline volume upon termination of static operations was changed to reflect DEQ instead of the United States Environmental Protection Agency.

Enclosed is the modified title page, modified permit pages (Part I – Pages 6, 7, and 8), modified Part II-Other Requirements (Pages 3, 4, 5, 6, 7, 9, 10, 11, 13, 14, 15, and 18), modified Summary Sheets (Tables 1 and 2), and a copy of the previously issued LPDES/NPDES permit LA0049492. Please replace the appropriate page in LPDES/NPDES permit LA0049492 with these revisions. All other terms and conditions of this permit shall remain as is until the LPDES permit expires.

All future correspondence regarding this permit shall use LPDES/NPDES permit number LA0049492 and agency interest number 4634. Should you have any questions concerning this permit modification, please feel free to contact Sonja Loyd, Office of Environmental Services, at the address on the bottom of the cover page or by telephone at (225) 219-3090. You may also contact Gloria Vaughn, EPA, Water Quality Protection Division, 1445 Ross Avenue, Dallas, Texas 75202, telephone (214) 665-7535 with any questions regarding this permit modification.

Sincerely,

Linda Korn Levy
Assistant Secretary

Miguel I. Flores, Director
Water Quality Protection Division, EPA

sl

Attachment

c: w/ applicable enclosure(s)

Gloria Vaughn
U. S. Environmental Protection
Agency, Region VI

Permit Compliance Unit
Office of Environmental Compliance

Southeast Regional Office
Office of Environmental Compliance
Surveillance Division

Scott Guilliams
Permits Division

Sonja Loyd
Permits Division

IO-W File

PERMIT NUMBER
LA0049492 / AI No.: 4634

OFFICE OF ENVIRONMENTAL SERVICES

Water Discharge Permit

Pursuant to the Clean Water Act, as amended (33 U.S.C. 1251 et seq.), and the Louisiana Environmental Quality Act, as amended (La. R. S. 30:2001 et seq.), rules and regulations effective or promulgated under the authority of said Acts, and in reliance on statements and representations heretofore made in the application, a Louisiana Pollutant Discharge Elimination System/National Pollutant Discharge Elimination System permit modification is issued authorizing

LOOP LLC
One Seine Court
P.O. Box 6638
New Orleans, Louisiana 70174

Type Facility: Deepwater port, pipelines and storage facilities for the transportation of crude oil

Location: Outfall 001-Lat. 28°53'06" Long. 90°01'30", Outfall 002-Lat. 28°53'06" Long. 90°01'30", Outfall 004-Lat. 29°06'16" Long. 90°06'47", Outfall 005-Lat. 29°07'00" Long. 90°12'36", Outfall 006-Lat. 29°07'00" Long. 90°12'36", Outfall 007-Lat. 29°27'45" Long. 90°18'20", Outfall 008-Lat. 29°28'12" Long. 90°15'16", Outfall 012-Lat. 29°28'12" Long. 90°15'16", Outfall 015-Lat. 28°53'06" Long. 90°01'30", Outfall 018-Lat. 29°09'15" Long. 90°10'30", Outfall 020-Lat. 29°27'45" Long. 90°18'20", Outfall 021-Lat. 29°27'03" Long. 90°16'06", Outfall 022-Lat. 29°28'18" Long. 90°15'05", Outfall 023-Lat. 29°09'15" Long. 90°10'30" Lafourche Parish

Receiving Waters: Outfalls 001, 002, 004 and 015-Gulf of Mexico; Outfalls 005 and 006-Bayou Lafourche; Outfalls 007, 008, 012, 020 and 022-Breton Canal; Outfalls 018 and 023-Bayou Moreau; Outfall 021-LL&E Canal

to discharge in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III.

This permit and the authorization to discharge were effective on February 1, 2003, and shall expire at midnight on January 31, 2008.

This permit was not previously modified.

This modification shall become effective on October 1, 2003

Issued on _____

Linda Korn Levy
Assistant Secretary, DEQ

Miguel I. Flores
Miguel I. Flores, Director
Water Quality Protection Division, EPA

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfalls 015, the discharge of non-contact cooling water (*6)

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic		Discharge Limitations (lbs/day, UNLESS STATED)		Monitoring Requirements Other Units (mg/L, UNLESS STATED)			
	STORET Code	Monthly Average	Daily Maximum	Daily Average	Daily Maximum	Measurement Frequency(*1)	Sample Type (*5)
Flow-MGD	50050	Report	Report	4.32	5.4	1/month	Estimate
TOC (net)	00680	---	---	---	5	1/month	Grab
Oil and Grease	03582	---	---	---	15	1/month	Grab
Chlorine(*7)	50060	---	---	0.5	1.0	1/week	Grab
pH Min/Max Values (Standard Units)	00400	---	---	6.0 (*3) (Min)	9.0 (*3) (Max)	1/month	Grab
				(Percent %, UNLESS STATED)			
48-HOUR ACUTE BIOMONITORING: MARINE (*4)	STORET Code			Monthly Average Minimum	48-Hour Minimum	Measurement Frequency	Sample Type
NOEC, Pass/Fail, Lethality, Static Renewal, 48-Hour Acute Menidia beryllina	TEM6B	---	---	Report	Report	1/quarter (*2)	24-Hour Composite
NOEC, Value, Lethality, Static Renewal, 48-Hour Acute Menidia beryllina	TOM6B	---	---	Report	Report	1/quarter (*2)	24-Hour Composite
NOEC, Pass/Fail, Lethality, Static Renewal, 48-Hour Acute Mysidopsis bahia	TEM3E	---	---	Report	Report	1/quarter (*2)	24-Hour Composite
NOEC, Value, Lethality, Static Renewal, 48-Hour Acute Mysidopsis bahia	TOM3E	---	---	Report	Report	1/quarter (*2)	24-Hour Composite

There shall be no discharge of floating solids or visible foam in other than trace amounts.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s) prior to combining with other waters:

Outfall 015 - at the point of discharge from the non-contact cooling water system on the pumping platform at LOOP's Marine Terminal in the Gulf of Mexico.

FOOTNOTE(S):

(*1) When discharging.
(*2) If there are no significant lethal effects demonstrated to the species at or below the critical dilution during the first four quarters of testing, the permittee may certify fulfillment of the WET testing requirements in writing to the permitting authority and WET testing may be reduced to not less than once per six months for the more sensitive species and not less than once per year for the less sensitive species for the remainder of the life of the permit. This monitoring frequency reduction applies only until the expiration date of this permit, at which time the monitoring frequency for both species reverts to once per quarter until the permit is reissued. See Part II, Paragraph L, Section D.4.d.
(*3) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.
(*4) Biomonitoring shall only be required during periods of chlorination or other biocide usage. The permittee shall notify the DEQ and EPA no later than 30 days prior to commencement of its chlorination activities.
(*5) See Part II, Paragraph L, Section C.4.c.
(*6) Discharges from Outfall 015 fall within the regulatory jurisdiction of the EPA (See Part II, Paragraph E).
(*7) Chlorine shall only be monitored during periods of chlorination or other biocide usage.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfalls 002, 006, 007, 008, and 023, the discharge of treated sanitary wastewater (*7)

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations (lbs/day, UNLESS STATED)		Monitoring Requirements Other Units (mg/L, UNLESS STATED)			
	STORET Code	Monthly Average	Daily Average	Monthly Average	Weekly Average	Measurement Frequency(*1)	Sample Type
Flow-MGD	50050	Report	Report	---	---	1/6 months	Estimate
BOD_5	00310	---	---	---	45	1/6 months	Grab
TSS	00530	---	---	---	45	1/6 months	Grab
Fecal Coliform colonies/100 ml (*2)	74055	---	---	---	400(*3)	1/6 months	Grab
Total Residual Chlorine(*4)	50060	---	---	---	2.0	1/6 months	Grab
pH Min/Max Values (Standard Units)	00400	---	---	6.0 (*5) (Min)	9.0 (*5) (Max)	1/6 months	Grab

There shall be no discharge of floating solids or visible foam in other than trace amounts, nor of free oil or other oil materials, nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no visible sheen or stains attributable to this discharge.

The discharge of garbage is prohibited. "Garbage" means all kinds of food waste, wastes generated in living areas on the facility, and operational waste, excluding fresh fish and parts thereof, generated during the normal operation of the facility and liable to be disposed of continuously or periodically, except dishwater, graywater, and those substances that are defined or listed in other Annexes to MARPOL 73/78. [Exception] Comminuted food waste (able to pass through a screen with a mesh no larger than 25 mm, approx. 1 inch) may be discharged when 12 nautical miles or more from land.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall 002(*6) - Sewage treatment package plant located on the control platform at LOOP's Marine Terminal in the Gulf of Mexico, Lat. 28°53'06" Long. 90°01'30".
Outfall 006 - Sewage treatment package plant located at the LOOP Small Boat Harbor at 439 A.J. Estay Road in Port Fourchon, along the east side of Bayou Lafourche. Lat. 29°07'00" Long. 90°12'36".
Outfall 007 - Sewage treatment package plant located between the LOOP Operations Center and Warehouse at 224 East 101 Place (LOOP Access Road) in Galliano. Discharged into an unnamed ditch along the east side of LOOP's property then to Breton Canal. Lat. 29°27'45" Long. 90°18'20".
Outfall 008 - Sewage treatment package plant located beneath the control building at LOOP's Clovelly Dome Storage Terminal Facility, along LOOP Access Road (East 101 Place) in Galliano. Discharged to a private canal then to Breton Canal. Lat. 29°28'12" Long. 90°15'16".
Outfall 023 - Sewage treatment package plant located at the Fourchon Booster Station in Port Fourchon. Discharged through a pipe into a facility ditch that flows to the collection pond in the northwest corner of the station then to Bayou Moreau. Lat. 29°09'15" Long. 90°10'30".

at the point of discharge from the treatment facility prior to combining with other waters.

OTHER REQUIREMENTS (continued)

schedule or as established in the permit:

For parameter(s) with monitoring frequency(ies) of 1/month or more frequent:

Submit DMR by the 15th day of the following month.

For parameter(s) with monitoring frequency(ies) of 1/quarter:

Monitoring Period	DMR Due Date
January 1 - March 30	April 15th
April 1 - June 30	July 15th
July 1 - September 30	October 15th
October 1 - December 30	January 15th

For parameter(s) with monitoring frequency(ies) of semi-annual:

Monitoring Period	DMR Due Date
January 1 - June 30	July 15th
July - December 31	January 15th

For parameter(s) with monitoring frequency(ies) of 1/year:

Monitoring Period	DMR Due Date
January 1 - December 31	January 15th

LPDES permit LA0049492 is being issued jointly by the DEQ and EPA. Duplicate DMR forms must be submitted (one set of originals and one set of copies), signed and certified as required by LAC 33:IX.2333.B/40 CFR 122.22(b). All other reports (one set of originals) required by this permit shall be submitted to the Permit Compliance Unit, and the appropriate DEQ regional office (one set of copies) at the following addresses:

Department of Environmental Quality
Office of Environmental Compliance
Permit Compliance Unit
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312

Department of Environmental Quality
Office of Environmental Compliance
Surveillance Division
201 Evans Road
Bldg. 4, Suite 420
New Orleans, Louisiana 70123-5230

OTHER REQUIREMENTS (continued)

For EPA reporting, DMR forms and all other reports (i.e., noncompliance reports, etc.) pertaining to these outfalls, must be submitted to the following address:

U.S. Environmental Protection Agency, Region 6
Water Quality Protection Division
1445 Ross Avenue
Dallas, Texas 75202- 2733

L. 48 HR ACUTE BIOMONITORING REQUIREMENTS: MARINE

A. SCOPE AND METHODOLOGY

1. The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

APPLICABLE TO OUTFALL(S):	015
REPORTED ON DMR AS OUTFALL:	TXQ1
CRITICAL DILUTION:	2.89%
EFFLUENT DILUTION SERIES:	1.22%,1.63%,2.17%,2.89%, and 3.85%
COMPOSITE SAMPLE TYPE:	Defined at Part I
TEST SPECIES/METHODS:	40 CFR Part 136 (See LAC 33:IX.2531)

Mysidopsis bahia (Mysid shrimp) acute static renewal 48-hour definitive toxicity test using EPA/600/4-90/027F, or the latest update thereof. A minimum of five (5) replicates with eight (8) organisms per replicate must be used in the control and in each effluent dilution of this test.

Menidia beryllina (Inland Silverside minnow) acute static renewal 48-hour definitive toxicity test using EPA/600/4-90/027F, or the latest update thereof. A minimum of five (5) replicates with eight (8) organisms per replicate must be used in the control and in each effluent dilution of this test.

OTHER REQUIREMENTS (continued)

2. The NOEC (No Observed Effect Concentration) is defined as the greatest effluent dilution at and below which lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur.

3. This permit may be reopened to require whole effluent toxicity limits, chemical specific effluent limits, additional testing, and/or other appropriate actions to address toxicity.

4. Test failure is defined as a demonstration of statistically significant sub-lethal or lethal effects to a test species at or below the effluent critical dilution.

B. PERSISTENT LETHALITY

The requirements of this subsection apply only when a toxicity test demonstrates significant lethal effects at or below the critical dilution. Significant lethal effects are herein defined as a statistically significant difference at the 95% confidence level between the survival of the appropriate test organism in a specified effluent dilution and the control (0% effluent).

1. Part I Testing Frequency Other Than Monthly

a. The permittee shall conduct a total of two (2) additional tests for any species that demonstrates significant lethal effects at the critical dilution. The two additional tests shall be conducted monthly during the next two consecutive months. The permittee shall not substitute either of the two additional tests in lieu of routine toxicity testing, unless the specified testing frequency for the species demonstrating significant lethal effects is monthly. The full report shall be prepared for each test required by this section in accordance with procedures outlined in item 4 of this section and submitted with the period discharge monitoring report (DMR) to the permitting authority for review.

b. If one or both of the two additional tests demonstrates significant lethal effects at or below the critical dilution, the permittee shall initiate Toxicity Reduction Evaluation (TRE) requirements as specified in item 5 of this section. The permittee shall notify EPA in writing within 5 days of the failure of any retest, and the TRE initiation date will be the test completion date of the first failed retest. A TRE may also be required due to a demonstration of intermittent lethal effects at or below the critical dilution, or for failure to perform the required retests.

OTHER REQUIREMENTS (continued)

c. If one or both of the two additional tests demonstrates significant lethal effects at or below the critical dilution, the frequency of testing for this species shall be once per quarter for the life of the permit.

d. The provisions of item 2.a are suspended upon submittal of the TRE Action Plan.

C. REQUIRED TOXICITY TESTING CONDITIONS

1. Test Acceptance

The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

a. Each toxicity test control (0% effluent) must have a survival equal to or greater than 90%.

b. The percent coefficient of variation between replicates shall be 40% or less in the control (0% effluent) for: Mysid shrimp survival test; and Inland Silverside minnow survival test.

c. The percent coefficient of variation between replicates shall be 40% or less in the critical dilution, unless significant lethal effects are exhibited for: Mysid shrimp survival test; and Inland Silverside minnow survival test.

Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than 40%. A repeat test shall be conducted within the required reporting period of any test determined to be invalid.

2. Statistical Interpretation

For the Mysid shrimp survival test and the Inland Silverside minnow survival test, the statistical analyses used to determine if there is a statistically significant difference between the control and the critical dilution shall be in accordance with the methods for determining the No Observed Effect Concentration (NOEC) as described in EPA/600/4-90/027F, or the most recent update thereof.

OTHER REQUIREMENTS (continued)

If the conditions of Test Acceptability are met in Item 3.a above and the percent survival of the test organism is equal to or greater than 90% in the critical dilution concentration and all lower dilution concentrations, the test shall be considered to be a passing test regardless of the NOEC, and the permittee shall report a NOEC of not less than the critical dilution for the DMR reporting requirements found in Item 4 below.

3. Dilution Water

a. Dilution water used in the toxicity tests will be receiving water collected as close to the point of discharge as possible but unaffected by the discharge. The permittee shall substitute synthetic dilution water of similar pH, hardness and salinity to the closest downstream perennial water for;

(1) toxicity tests conducted on effluent discharges to receiving water classified as intermittent streams; and

(2) toxicity tests conducted on effluent discharges where no receiving water is available due to zero flow conditions.

b. If the receiving water is unsatisfactory as a result of instream toxicity (fails to fulfill the test acceptance criteria of item 3.a), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:

(1) a synthetic dilution water control which fulfills the test acceptance requirements of item 3.a was run concurrently with the receiving water control;

(2) the test indicating receiving water toxicity has been carried out to completion (i.e., 48 hours);

(3) the permittee includes all test results indicating receiving water toxicity with the full report and information required by item 4. below; and

OTHER REQUIREMENTS (continued)

e. MULTIPLE OUTFALLS: If the provisions of this section are applicable to multiple outfalls, the permittee shall combine the composite effluent samples in proportion to the average flow from the outfalls listed in item A.1 above for the day the sample was collected. The permittee shall perform the toxicity test on the flow-weighted composite of the outfall samples.

f. The permittee shall have the sample dechlorinated in the laboratory prior to installation of dechlorination systems. However, upon operation of dechlorination systems, the permittee shall not allow the sample to be dechlorinated at the laboratory.

D. REPORTING

1. The permittee shall prepare a full report of the results of all tests conducted pursuant to this Part in accordance with the Report Preparation Section of EPA/600/4-90/027F, for every valid or invalid toxicity test initiated, whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of Part III.C.3 of this permit. For any test which fails, is considered invalid or which is terminated early for any reason, the full report must be submitted for agency review. The permittee shall submit the first full report to:

Department of Environmental Quality
Office of Environmental Compliance
P.O. Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Permit Compliance Unit

U.S. Environmental Protection Agency, Region 6
Water Enforcement Branch, 6 EN-WC
1445 Ross Avenue
Dallas, Texas 75202

2. A valid test for each species must be reported on the DMR during each reporting period specified in Part I of this permit unless the permittee is performing a TRE which may increase the frequency of testing and reporting. Only ONE set of biomonitoring data for each species is to be recorded on the DMR for each reporting period. The data submitted should reflect the LOWEST Survival results for each species during the reporting period. All invalid tests, repeat tests (for invalid tests), and retests (for tests previously failed) performed during the reporting period must be attached to the DMR for this Office to review.

OTHER REQUIREMENTS (continued)

If a test failure has occurred and the required retests have been performed, the test results are to be reported on the DMR as follows:

Parameter Code	Report
Retest #1 22415	0 Pass, or, 1 Fail
Retest #2 22416	0 Pass, or, 1 Fail

3. The permittee shall report the following results of each valid toxicity test on the subsequent monthly DMR for that reporting period in accordance with Part III.D.4 of this permit. Submit retest information clearly marked as such with the following month's DMR. Only results of valid tests are to be reported on the DMR. The permittee shall submit the Table I summary sheet with each valid test.

   a. Menidia beryllina (Inland Silverside minnow)
      (1) If the No Observed Effect Concentration (NOEC) for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TEM6B.

      (2) Report the NOEC value for survival, Parameter No. TOM6B.

   b. Mysidopsis bahia (Mysid shrimp)
      (1) If the NOEC for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TEM3E.

      (2) Report the NOEC value for survival, Parameter No. TOM3E.

   The permittee shall submit the toxicity testing information contained in Table 1 of this permit with the DMR subsequent to each and every toxicity test reporting period. The DMR and the summary table should be sent to the address indicated in D.1. The permittee is not required to send the first complete report nor summary tables to EPA.

4. Monitoring Frequency Reduction

   a. The permittee may apply for a testing frequency reduction upon the successful completion of the first four consecutive quarters of testing for one or both test species, with no lethal effects demonstrated at or below the critical dilution. If granted, the monitoring frequency for that test species may be reduced to not less than once per year for the less sensitive species (usually the Inland Silverside Minnow) and not less than once per six months for the more sensitive test species (usually the Mysid Shrimp).

OTHER REQUIREMENTS (continued)

b. CERTIFICATION - The permittee must certify in writing that no test failures have occurred and that all tests meet all test acceptability criteria in item 3.a. above. In addition, the permittee must provide a list with each test performed including test initiation date, species, NOEC's for lethal effects and the maximum coeffecient of variation for the controls. Upon review and acceptance of this information the agency will issue a letter of confirmation of the monitoring frequency reduction. A copy of the letter will be forwarded to the agency's Permit Compliance Unit to update the permit reporting requirements.

c. SURVIVAL FAILURES - If any test fails the survival endpoint at any time during the life of this permit, two monthly retests are required and the monitoring frequency for the affected test species shall be increased to once per quarter until the permit is reissued. Monthly retesting is not required if the permittee is performing a TRE.

d. This monitoring frequency reduction applies only until the expiration date of this permit, at which time the monitoring frequency for both test species reverts to once per quarter until the permit is reissued.

E. TOXICITY REDUCTION EVALUATION (TRE)

1. Within ninety (90) days of confirming lethality in the retests, the permittee shall submit a Toxicity Reduction Evaluation (TRE) Action Plan and Schedule for conducting a TRE. The TRE Action Plan shall specify the approach and methodology to be used in performing the TRE. A Toxicity Reduction Evaluation is an investigation intended to determine those actions necessary to achieve compliance with water quality-based effluent limits by reducing an effluent's toxicity to an acceptable level. A TRE is defined as a step-wise process which combines toxicity testing and analyses of the physical and chemical characteristics of a toxic effluent to identify the constituents causing effluent toxicity and/or treatment methods which will reduce the effluent toxicity. The TRE Action Plan shall lead to the successful elimination of effluent toxicity at the critical dilution and include the following:

OTHER REQUIREMENTS (continued)

Where the permittee has identified or suspects specific pollutant(s) and/or source(s) of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical specific analyses for the identified and/or suspected pollutant(s) and/or source(s) of effluent toxicity. Where lethality was demonstrated within 24 hours of test initiation, each composite sample shall be analyzed independently. Otherwise the permittee may substitute a composite sample, comprised of equal portions of the individual composite samples, for the chemical specific analysis;

c. Quality Assurance Plan (e.g., QA/QC implementation, corrective actions, etc.); and

d. Project Organization (e.g., project staff, project manager, consulting services, etc.).

2. The permittee shall initiate the TRE Action Plan within thirty (30) days of plan and schedule submittal. The permittee shall assume all risks for failure to achieve the required toxicity reduction.

3. The permittee shall submit a quarterly TRE Activities Report, with the Discharge Monitoring Report in the months of January, April, July and October, containing information on toxicity reduction evaluation activities including:

a. any data and/or substantiating documentation which identifies the pollutant(s) and/or source(s) of effluent toxicity;

b. any studies/evaluations and results on the treatability of the facility's effluent toxicity; and

c. any data which identifies effluent toxicity control mechanisms that will reduce effluent toxicity to the level necessary to meet no significant lethality at the critical dilution.

The TRE Activities Report shall be submitted to the following addresses:

Department of Environmental Quality
Office of Water Resources
P.O. Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Permit Compliance Unit

OTHER REQUIREMENTS (continued)

U.S. Environmental Protection Agency, Region 6
Water Enforcement Branch, 6 EN-WC
1445 Ross Avenue
Dallas, Texas 75202

4. The permittee shall submit a Final Report on Toxicity Reduction Evaluation Activities no later than twenty-eight (28) months from confirming lethality in the retests, which provides information pertaining to the specific control mechanism selected that will, when implemented, result in reduction of effluent toxicity to no significant lethality at the critical dilution. The report will also provide a specific corrective action schedule for implementing the selected control mechanism.

   A copy of the Final Report on Toxicity Reduction Evaluation Activities shall also be submitted to the above addresses.

5. Quarterly testing during the TRE is a minimum monitoring requirement. LDEQ recommends that permittees required to perform a TRE not rely on quarterly testing alone to ensure success in the TRE, and that additional screening tests be performed to capture toxic samples for identification of toxicants. Failure to identify the specific chemical compound causing toxicity test failure will normally result in a permit limit for whole effluent toxicity limits per federal regulations at 40 CFR 122.44(d)(1)(v) and state regulations at LAC 33:IX.2361.D.1.e.

M. STORMWATER DISCHARGES

1. This section applies to all stormwater discharges from the facility, either through permitted outfalls or through outfalls which are not listed in the permit or as sheet flow.

2. Any runoff leaving the developed areas of the facility, other than the permitted outfall(s), exceeding 50 mg/L TOC, 15 mg/L Oil and Grease, or having a pH less than 6.0 or greater than 9.0 standard units shall be a violation of this permit. Any discharge in excess of these limitations, which is attributable to offsite contamination shall not be considered a violation of this permit. A visual inspection of the facility shall be conducted and a report made annually as described in Paragraph 4 below.

3. The permittee shall prepare, implement, and maintain a Storm Water Pollution Prevention Plan (SWP3) within six (6) months oftheeffective date of the final permit. The purpose of the pollutionrevention plan is to identify potential sources of pollution that would reasonably be expected to affect the quality of storm water and identify the practices that will be used to prevent or reduce the pollutants in storm water discharges. The terms and conditionsofthe SWP3 shall be an enforceable part of the permit. EPA document 832-R-92-006 (Storm Water Management for Industrial

TABLE 1
SUMMARY SHEET

Mysidopsis bahia ACUTE SURVIVAL TEST RESULTS

PERMITTEE: LOOP LLC
FACILITY SITE: Deepwater Port, Pipeline and Storage Facility
LPDES PERMIT NUMBER: LA0049492
OUTFALL IDENTIFICATION: 015
OUTFALL SAMPLE IS FROM _____ SINGLE _____ MULTIPLE DISCHARGES
BIOMONITORING LABORATORY: _____
DILUTION WATER USED: _____ RECEIVING WATER _____ LAB WATER
CRITICAL DILUTION 2.89% DATE TEST INITIATED _____

Are the test results to be considered valid? ____yes ____no
If __X__no (test invalid), what are the reasons for invalidity?

Is this a retest of a previous invalid test? ____ yes____no
Is this a retest of a previous test failure? ____ yes____no

NOEC = _____% effluent
$LC_{50}48$ = _____% effluent

DILUTION SERIES RESULTS
percent survival

TIME OF READING	REP	0%	dilution 1.22%	dilution 1.63%	dilution 2.17%	dilution 2.89%	dilution 3.85%
24-HOUR	A						
	B						
	C						
	D						
	E						
48-HOUR	A						
	B						
	C						
	D						
	E						
MEAN							

Is the mean survival at 48 hours significantly less (p=0.05) than the control survival for the low flow or critical dilution?
_____yes _____no

TABLE 2
SUMMARY SHEET

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DILUTION SERIES RESULTS
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Is the mean survival at 48 hours significantly less (p=0.05) than the control survival for the low flow or critical dilution?
_____yes _____no

OTHER REQUIREMENTS (continued)

Activities:Developing Pollution Prevention Plans and Best Management Practices) may be used as a guidance and may be obtained by writing to the U.S. Environmental Protection Agency, Office of Water Resources (RC-4100), 1200 Pennsylvania, Avenue, Washington D.C. 20460 or by calling (202) 566-1729 or via the Wetlands Helpline (800) 832-7828. The document is also available online at via the "Publications, Guidance" links at: www.epa.gov/npdes/stormwater.

4. The following conditions are applicable to all facilities and shall be included in the SWP3 for the facility.

a. The permittee shall conduct an annual inspection of the facility site to identify areas contributing to the storm water discharge from developed areas of the facility and evaluate whether measures to reduce pollutant loadings identified in the SWP3 are adequate and have been properly implemented in accordance with the terms of the permit or whether additional control measures are needed.

b. The permittee shall develop a site map which includes all areas where stormwater may contact potential pollutants or substances which can cause pollution. Any location where reportable quantities leaks or spills have previously occurred are to be documented in the SWP3. The SWP3 shall contain a description of the potential pollutant sources, including, the type and quantity of material present and what action has been taken to assure stormwater precipitation will not directly contact the substances and result in contaminated runoff.

c. Where experience indicates a reasonable potential for equipment failure (e.g. a tank overflow or leakage), natural condition of (e.g. precipitation), or other circumstances which result in significant amounts of pollutants reaching surface waters, the SWP3 should include a prediction of the direction, rate of flow and total quantity of pollutants which could be discharged from the facility as a result of each condition or circumstance.

d. The permittee shall maintain for a period of three years a record summarizing the results of the inspection and a certification that the facility is in compliance with the SWP3 and the permit, and identifying any incidents of noncompliance. The summary report should contain, at a minimum, the date and time of inspection, name of inspector(s), conditions found, and changes to be made to the SWP3.

e. The summary report and the following certification shall be signed in accordance with LAC 33:IX.2333. The summary

OTHER REQUIREMENTS (continued)

6. Facility Specific SWP3 Conditions: None

N. APPLICABLE TO OUTFALL 004

1. The permittee shall operate a diffusion system for the brine disposal to achieve a maximum rate of diffusion while minimizing the area which may be adversely affected.

2. If the permittee uses an oxygen scavenger, the concentration shall be no greater than 18 ppm K_2SO_3/ppm DO or 10 ppm NH_4HSO_3/ppm DO. The permittee shall maintain a detectable DO level in the pipeline at all times.

3. After leaching operations are completed and during prolonged periods of static operations (i.e. no discharge) a corrosion inhibitor may be used to protect the brine line from corrosion. Permittee will notify the DEQ prior to addition of inhibitor, and also prior to discharge of pipeline volume upon termination of static operations. Discharge concentration shall in no case exceed 100 mg/L.

O. PROTECTION OF ENDANGERED SPECIES

Reserved pending completion of Endangered Species Act, Section 7 consultation.

P. REOPENER CLAUSE FOR ENDANGERED SPECIES PROTECTION

This permit may be modified or revoked and reissued based on the results of the Endangered Species Act, Section 7 consultation with the National Marine Fisheries Service.